

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

GLAXO GROUP LTD.)
d/b/a GLAXOSMITHKLINE,)
Plaintiff,)
v.) Civil Action No. AMD 06-469
MICHAEL O. LEAVITT,)
in his official capacity as)
SECRETARY, DEPARTMENT OF)
HEALTH AND HUMAN SERVICES)
and)
ANDREW C. VON ESCHENBACH, M.D.)
in his official capacity as)
ACTING COMMISSIONER,)
FOOD AND DRUG ADMINISTRATION,)
Defendants.)
and)
ROXANE LABORATORIES,)
Defendant-Intervenor.)

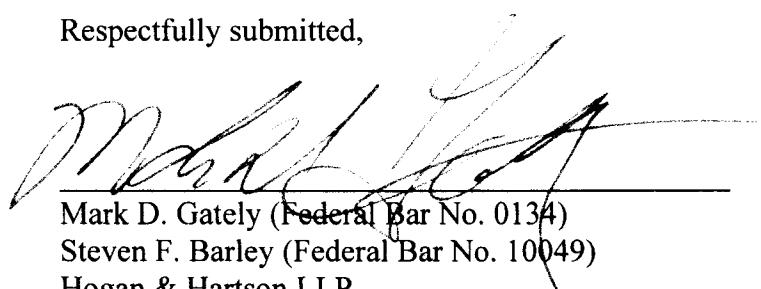
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DISTRICT OF MARYLAND
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MOTION FOR INJUNCTION PENDING APPEAL

Pursuant to Fed. R. Civ. P. 62, plaintiff GLAXO GROUP LTD. d/b/a GLAXOSMITHKLINE (“GSK”) hereby moves for an injunction pending appeal of FDA’s approval of any Abbreviated New Drug Applications (ANDAs) for generic versions of Flonase® Nasal Spray.

A memorandum in support of GSK's motion and a proposed order are attached.

Respectfully submitted,



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Attorneys for Plaintiff GlaxoSmithKline

Dated: March 6, 2006